

P.B.5818 - Patentlaan 2 2280 HV Rijswijk (ZH) (070) 3 40 20 40 FAX (070) 3 40 30 16

Europäisches **Patentamt**

European **Patent Office** Office européen des brevets

Generaldirektion 1

Directorate General 1

Direction générale 1

Ling, Christopher John IBM United Kingdom Limited Intellectual Property Law Hursley Park Winchester Hampshire SO21 2JN GRANDE BRETAGNE



EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date

20.09.06

Reference FIS920030347EP1 Application No./Patent No.

04704467.2 - 2203 PCT/US2004001721

Applicant/Proprietor

International Business Machines Corporation

Notification of European publication number and information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual contracting states becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

Pursuant to Article 158(1) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 18.10.06 in Section I.1 of the European Patent Bulletin. The European publication number is 1711966.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

Receiving Section





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04-09-2006

Reference FIS920030347EP1 Application No./Patent No.

04704467.2 - PCT/US2004001721

Applicant/Proprietor

International Business Machines Corporation

Communication pursuant to Rules 109 and 110 EPC

(1) Amendment of application documents, especially the claims (R. 109 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of one month after notification of the present communication (R. 109 EPC).

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (R. 109 EPC).

Date

(2) Claims fees under Rule 110 EPC

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

M	Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).
	All necessary fees will be/have been debited automatically according to the automatic debit order.
	The claims fee due for the claims to were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of one month after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (R. 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

The fee for the eleventh and each subsequent claim is EUR 45,00.

Receiving Section





To the European Patent Office

Entry into the European phase (EPO as designated or elected Office)

European application number	EPU4/U446/.2
PCT application number	PCT/US2004/001721
	WO2005079182
	FIS920030347EP1
1. Applicant	
Particulars of the applicant(s) are contained in the international publication or were recorded by the International Bureau subsequent to the international publication.	
Changes which have not yet been recorded by the International Bureau are set out here:	
Address for correspondence	
2. Representative 1	
This is the representative who will be listed in the Register of European Patents and to whom notifications will be made	
Name	LING Christopher, John
Registration No	0080400.5
Address of place of business	IBM United Kingdom Limited
	Intellectual Property Law
	Hursley Park
	Winchester, Hampshire, SO21 2JN
	United Kingdom
Telephone	+44 1962 815212
Fax	+44 1962 818927
e-mail	
Any additional representative(s) is/are listed here:	
3. General Authorisation:	
An individual authorisation is attached.	
A general authorisation has been registered under No:	
A general authorisation has been filed, but not yet registered.	
The authorisation filed with the EPO as PCT receiving Office expressly includes the European phase.	
4. Request for examination	
Examination of the application under Art. 94 EPC is hereby requested. The examination fee is being (has been, will be) paid.	Z
Request for examination in an admissible non-EPO language:	
5. Copies	
One or more additional sets of copies of the documents cited in the supplementary European search report are hereby requested.	
Number of additional sets of copies	
6. Documents intended for proceedings before the EPO 6.1 Proceedings before the EPO as designated Office (PCT I) are to be based on the following documents:	
the application documents published by the International Bureau (with all claims, description and drawings), where applicable with amended claims under Art. 19 PCT	

unless replaced by the amendments attached.				
Where necessary, clarifications should be attached as 'Other Documents'				
6.2 Proceedings before the EPO as elected Office (PCT II) are to be based on the following documents:				
the documents on which the international preliminary examination report is based, including any annexes				
unless replaced by the amendments attached.				
Where necessary, clarifications should be attached as 'Other Documents'				
If the EPO as International Preliminary Examining Authority has been supplied with test reports, these may be used as the basis of proceedings before the EPO.				
7. Translations				
Translations in one of the official languages of the EPO (English, French, German) are attached as crossed below:				
* In proceedings before the EPO as designated or elected Office (PCT I + II):				
Translation of the international application (description, claims, any text in the drawings) as originally filed, of the abstract as published and of any indication under Rule 13bis.3 and 13bis.4 PCT regarding biological material				
Translation of the priority application(s)		•		
It is hereby declared that the international application as originally filed is a complete translation of the previous application (Rule 38(5) EPC)		•		
* In addition, in proceedings before the EPO as designated Office (PCT I):	,			
Translation of amended claims and any statement under Art. 19 PCT, if the claims as amended are to form the basis for the proceedings before the EPO (see Section 6).			-	
* In addition, in proceedings before the EPO as elected office (PCT II):				
Translation of annexes to the international preliminary examination report			· · · · · · · · · · · · · · · · · · ·	
8. Biological material				
The invention relates to and/or uses biological material deposited under Rule 28 EPC.				
The particulars referred to in Rule 28(1)(c) EPC (if not yet known, the depository institution and the identification reference(s)) [number, symbols, etc.] of the depositor) are given in the international publication or in the translation submitted under Section 7 on:				
page(s) / line(s)				
A copy of the receipt(s) of deposit issued by the depositary institution	<u> </u>			
is attached				
will be filed at a later date				
A waiver of the right to an undertaking from the requester pursuant to Rule 28(3) EPC is attached.				
9. Nucleotide and amino acid sequences				
The items required under Rules 5.2 and 13ter PCT and Rule 111(3) EPC have already been furnished to the EPO.				
The sequence listing as part of the description is attached in PDF format.				
The sequence listing does not include matter that goes beyond the content of the application as filed.				
In addition, the sequence listing data is attached in computer-readable form in accordance with WIPO Standard 25.				
The sequence listing data in computer-readable form in accordance with WIPO Standard 25 is identical to the sequence listing in PDF format.			 -	
10. Designation fees				
10.1 It is currently intended to pay seven times the amount of the designation fee. The designation fees for all the EPC contracting states designated in the international application are thereby deemed to have been paid (Art. 2 No. 3 RFees).				٠.
AT BE BG CH&LI CY CZ DE DK EE ES FI FR GB GR HU IE IT LU MC NL PT				

RC	SE SI SK TR				
10 fol	.2 It is currently intended to pay fewer to lowing EPC contracting states designated	than seven designation ted in the internationa	n fees for the I application:		
be de pe fee	2.3 It is requested that no communication notified in respect of the contracting stability order has been issued, the EPO is a priod under Article 79(2), to debit seven a. If less than seven states are indicate as only for those states, unless it is instable basic period.	tates not indicated. If a authorised, on expiry of times the amount of t d, the EPO shall debi	an automatic of the basic he designation t designation		
	Extension of the European patent				
no wit int pre	nis application is also considered as bein-contracting states to the EPC designate which "extension agreements" were temational application. However, the expective extension fee is paid.	lated in the internation in force on the date o dension only takes eff	nal application f filing the fect if the	☑	
lt i	is currently intended to pay the extension	on fee for the following	g states:		
12. l	List of enclosed documents				
	Description of document	Original file		Assigned f	
1	Combined Amendments	FIS920030347EP	1 RegPh.pdf	SPECEI	PO.pdf
_	Debit from deposit account urrency			☑ EUR	
ac	ne European Patent Office is hereby au ecount with the EPO any fees and costs	thorised, to debit from s indicated on the fees	n the deposit s page.	20050025	
D€	eposit account number			28050025	
Ac	ccount holder			IBM United Kingdo	om Limited
	Reimbursements (if any) should be osit account:	made to the followi	ng EPO	Z	-
N	umber and account holder			IBM United Kingdo 28050025	om Limited,
15.	Fees				
			Factor/Reduction applied	Fee schedule	Amount to be paid
15-1	002e Fee for supplementary Europea applications filed before 01.07.2005	an search for	0.8		576.00
15-2	005 Designation fee		7	80.00	560.00
15-3	006e Examination fee (Euro-PCT wit European search report)	hout supplementary	1	1 490.00	
15-4	015 Claims fee		8	45.00	360.00
15-5	020 Basic national fee for an internat	lional application	1	95.00	95.00
15-6	033 Renewal fee for the 3rd year		1	400.00	400.00
		Total:		EUR	3 481.00
16.	Annotations				
	Signature(s) of applicant(s) or repre	esentative			

Place:

Winchester

Date:

09.August 2006

Signed by:

GB, IBM United Kingdom Ltd., C. Ling 552

Capacity:

(Representative)



Europäisches Patentamt European Patent Office Office européen des brevets

Acknowledgement of receipt

We hereby acknowledge receipt of the form for entry into the European phase (EPO as designated or elected Office) as follows:

Submission number	146396	
PCT application number	PCT/US2004/001721	
Date of receipt	09 August 2006	•
Receiving Office	European Patent Office, The Hague	·
Your reference	FIS920030347EP1	·
Applicant		
Country		
Documents submitted	package-data.xml	epf1200.pdf (3 p.)
	• • • • • • • • • • • • • • • • • • •	liestion body yml
	ep-euro-pct.xml	application-body.xml
	ep-euro-pct.xml SPECEPO.pdf\FIS920030347EP1 RegPh.pdf (18 p.)	application-body.xiiii
Submitted by	SPECEPO.pdf\FIS920030347EP1	ng 552 td., C. Ling 552; Issuer: , European
Submitted by Method of submission	SPECEPO.pdf\FIS920030347EP1 RegPh.pdf (18 p.) GB, IBM United Kingdom Ltd., C. Li Subject: GB, IBM United Kingdom L	ng 552 td., C. Ling 552; Issuer: , European
	SPECEPO.pdf\FIS920030347EP1 RegPh.pdf (18 p.) GB, IBM United Kingdom Ltd., C. Li Subject: GB, IBM United Kingdom Ltd Patent Office, European Patent Office	ng 552 td., C. Ling 552; Issuer: , European
Method of submission Date and time receipt	SPECEPO.pdf\FIS920030347EP1 RegPh.pdf (18 p.) GB, IBM United Kingdom Ltd., C. Li Subject: GB, IBM United Kingdom Ltd Patent Office, European Patent Office Online	ng 552 td., C. Ling 552; Issuer: , European CA

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